IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 8215 of 2004(C)

PETITIONER:

T.I.ABDUL KHADER,S/O IBRAHIM,
H.NO.2/404,THAIKKOOTTATHIL HOUSE,
THRIKKAKARA P.O.,KOCHI-21

BY ADV. SRI.A.B.JALEEL
SRI.V.K.SUBRAMANIAN

RESPONDENTS:
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1. HAMEENA RAFEEQUE,W/O RAFEEQUE,
SHAHNAS,KOILANDY,KAZHOOR,MELADY,KILUR P.O,
KOZHIKODE.

2. THE SECRETARY,KERALA WOMENS COMMISSION,
D.P.I.JUNCTION, THIRUVANANTHAPURAM.

3. THE SUB INSPECTOR OF POLICE,
THRIKKAKARA POLICE STATION,THRIKKAKARA.

4. STATE OF KERALA,REPRESENTED BY THE
CHIEF SECRETARY ,SECRETARIAT,THIRUVANANTHAPURAM.

BY ADV. SMT.PARVATHI MENON.A., SC.,KWC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 8215/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE AGREEMENT EXECUTED BY PETITIONER DT. 10/1/2002.

EXT.P2. COPY OF THE CRIME MEMO OBTAINED BY THE PETITIONER DT. 5/4/2003.

EXT.P3. COPY OF THE LIST PREPARED BY R1 DT. 6/4/2003.

EXT.P4. COPY OF THE NOTICE DT.2/6/2003 BY KWC.

EXT.P5. COPY OF THE RECEIPT BY R1 DT. 11/6/2003.

EXT.P6. COPY OF THE NOTICE BY R1 BY THE ASI OF POLICE WOMEN'S CELL DT. NIL.

EXT.P7. COPY OF THE NOTICE ISSUED BY COMMISSIONER OF POLICE, TRIVANDRUM.

EXT.P8. COPY OF THE PETITION SUBMITTED BY PETITIONER BEFORE THE CHIEF MINISTER OF KERALA DT. 3/6/2003.

EXT.P9. COPY OF THE NOTICE BY R2 TO THE PETITIONER DT. 13/2/2004.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.8215 of 2004

Dated 7th June, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of certiorari or other appropriate writ direction or order calling for the records leading to Ext.P9 notice and to quash it as illegal and unjustifiable.
>
> (ii) Issue a writ of mandamus or other appropriate writ direction or order directing the 2nd respondent Women's Commission to issue a copy of the complaint filed by the first respondent to the petitioner and to allow the petitioner, if necessary, to defend his case by lawful means.
>
> (iii) Issue a writ of mandamus or other appropriate writ, direction or order commanding the 2nd respondent not to harass the petitioner again and again on the basis of a false and frivolous complaint."

In case the second respondent proposes to proceed with Ext.P9, the same shall be done only after furnishing a copy of the complaint filed by the first respondent to the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 7th June, 2007.